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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cathey et al.
Serial No.: 09/652,630 Examiner: Not Assigned
Filed: August 31, 2000 Group Art Unit: Not Assigned
For: SPACERS FOR FIELD EMISSION DISPLAYS

Atty Docket No.: 100.718.418 (MIC-76)

Assistant Commissioner for Patents
Washington, D.C. 20231



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OFFICE OF PETITIONS

CERTIFICATE OF MAILING UNDER 37 CFR §1.8(a)

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on December 18, 2000.

Laura E. Blacker
Laura Blacker

DECLARATION OF RICHARD GOLDENBERG

Sir:

By signing below, I hereby declare the following:

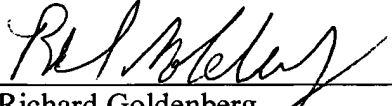
1. I am a patent attorney. My registration number is 38895. I am a junior partner at Hale and Dorr LLP. I am making this declaration in support of the Petition Pursuant to 37 CFR 1.47(a).
2. Mr. James J. Alwan was employed at Micron Display Technology, Inc. and/or Micron Technology, Inc. (collectively, "Micron") from September 14, 1994 to October 30, 1998.
3. Mr. Alwan's employment with Micron was terminated by Micron on October 30, 1998.
4. While Mr. Alwan was employed at Micron, Mr. Alwan and Mr. Cathey submitted an invention disclosure document to Micron stating that they were inventors of an invention

(the "Invention") entitled "Spacers for Field Emission Displays". Mr. Alwan signed the invention disclosure document on June 18, 1998.

5. While Mr. Alwan was employed at Micron, I met with Mr. Alwan to discuss the Invention. I subsequently prepared a draft patent application directed to the Invention.
6. On April 21, 1999, I mailed a letter regarding the draft patent application to Mr. Alwan at his home address, which was then 2014 S. Myers Street, Boise, Idaho, 83706. A copy of the April 21, 1999, letter is attached as Exhibit A. Mr. Alwan never responded to that letter.
7. After April 21, 1999, I attempted to contact Mr. Alwan by telephone at what was then his home telephone number (208-383-0772) regarding the draft application. Mr. Alwan never returned any of my phone calls.
8. A revised version of the draft patent application was prepared with the assistance of Mr. Cathey and was filed in the U.S. Patent Office on August 31, 2000. This application was subsequently assigned serial number 09/652,630.
9. On November 8, 2000, I mailed a copy of the '630 application and an inventor's declaration document to Mr. Alwan at the 2014 S. Myers Street, Boise, Idaho, 83706 address. This letter requested Mr. Alwan to execute the declaration document. Mr. Alwan has not responded to the November 8, 2000, letter.
10. A copy of the November 8, 2000, letter is attached as Exhibit B. This letter was sent using the U.S. Postal Service's Certified Mail Return Receipt Requested service. A copy of the receipt received from the U.S. Postal Service for this letter is attached as Exhibit C. As shown in the receipt, the U.S. Postal Service forwarded the letter to 15523 Wyeport Road, Ramona, California, 92065, which is believed to be Mr. Alwan's current address.
11. In summary, since his employment was terminated by Micron on October 30, 1998, despite my repeated attempts to contact him, Mr. Alwan has not communicated with me regarding the Invention, the draft patent application, or the '630 application.
12. I declare further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that the statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent application or any patent issuing therefrom.

Respectfully submitted,

Date: December 18, 2000


Richard Goldenberg

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